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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,130	01/12/2005	Jean-Benoit Pina	FR 020071	6802
24737	7590	01/02/2008		
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER HICKS, CHARLES N	
			ART UNIT	PAPER NUMBER
			2623	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/521,130

Applicant(s)

PINA, JEAN-BENOIT

Examiner

Charles N. Hicks

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/26/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Ma (US 2005/028737 A1), hereinafter referred to as Ma.
3. Regarding claim 1, Ma discloses in a transmission system, a receiver for receiving programs from the transmission system, the receiver comprising electronic program guide means for browsing through an electronic program guide containing information on a plurality of program channels (**fig. 1-5, pg. 2, paragraphs 15-18**);

said electronic program guide means comprising a server module and at least a client module assigned to a remote device, in order that upon request of the remote device, the server module manages the navigation of the assigned client module within the electronic program guide information (**fig. 5, pg. 2, paragraphs 20-22**).

4. Regarding claim 2, Ma discloses a remote device comprising input and output means for accessing an electronic program guide containing information

on a plurality of program channels transmitted from a transmission system via a receiver (**fig. 1, pg. 1, paragraphs 10-11**);

the receiver having electronic program guide means for browsing through said electronic program guide, said electronic program guide means comprising a server module and at least a client module assigned to said remote device, in order that upon request of the remote device, the server module manages the navigation of the assigned client module within the electronic program guide information (**fig. 5, pg. 2, paragraphs 20-22**).

5. Regarding claim 3, Ma discloses a remote device wherein said output means include display means for viewing the electronic program guide on said display means (**fig. 1-2, pg. 2, paragraph 13**).

6. Regarding claim 4, Ma discloses a home entertainment system comprising a receiver for receiving programs from a transmission system, the receiver comprising electronic program guide means for browsing through an electronic program guide containing information on a plurality of program channels (**fig. 1-5, pg. 2, paragraphs 15-18**),

and a plurality of remote devices comprising input and output means for accessing said electronic program guide, said electronic program guide means comprising a server module and a plurality of client modules assigned to the remote devices, in order that upon request of any remote device, the server module manages the navigation of the assigned client module within the electronic program guide information (**fig. 5, pg. 2, paragraphs 20-22**).

7. Regarding claim 5, Ma discloses in a transmission system, a method of remotely browsing through an electronic program guide containing information on a plurality of program channels transmitted from a transmission system via a receiver connected to at least a remote device (**fig. 1-2, pg. 2, paragraph 13**),

the receiver having electronic program guide means for browsing through said electronic program guide, said electronic program guide means comprising a server module and at least a client module assigned to said remote device, the method comprising the step of managing the navigation of the assigned client module within the electronic program guide information upon request of the remote device (**fig. 5, pg. 2, paragraphs 20-22**).

8. Regarding claim 6, Ma discloses a computer program product for a receiver computing a set of instructions, which when loaded into the receiver, causes the receiver to carry out the method (**fig. 5, pg. 2, paragraphs 20-22**).

9. Regarding claim 7, Ma discloses signal for carrying a computer program, the computer program being arranged to carry out the method (**fig. 5, pg. 2, paragraphs 20-22**).

Claim Rejections - 35 USC § 101

10. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 6-7 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Regarding claim 6, computer readable memory as well as computer executable code is required to allow for functionality

of a computer program product. Regarding claim 7, a signal is non-patentable subject matter by definition.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Scott (US 2006/0161865 A1) discloses a hand-held device having a remote control application. Plotnick (US 2003/0149978 A1) discloses a method of using a PDA as an EPG. Durden (US Patent No. 7,140,033 B1) discloses a method of controlling devices via data delivered to an external device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles N. Hicks whose telephone number is 571-272-3010. The examiner can normally be reached on M-F 7:30AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CNH


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